

REMARKS

The Examiner has not acknowledged Applicants' claim to foreign priority or receipt of a certified copy of the priority document, JP 2004-089620, on the Office Action Summary page. Applicants request that the Examiner do so in the next Office communication.

Claim 1 has been amended to incorporate therein the features of claim 13. Claims 10 to 13 have been canceled. Also, claims 1, 6-8, 16, 20 and 21 have been amended to delete the phrase "capable of being."

Claims 1, 4-8 and 10-19 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

The Examiner asserts that the instant application does not sufficiently describe the invention as it relates to what compounds or groups are encompassed by the instant invention for the variables T, U, Z and X. The Examiner is also unclear as which features "are compatible with the instant invention."

In response, Applicants submit that the amended claims fully satisfy the requirements of § 112, first paragraph. Namely, claim 1 has been amended to delete reference to T, U, Z and X and to incorporate therein the features of eight specifically disclosed sequences (SEQ ID NO: 1-5 and 7-9) that had been recited in claim 13. Applicants have canceled claims 10 to 13.

Accordingly, Applicants respectfully submit that the present specification reasonably conveys to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention, and request that the Examiner reconsider and withdraw the above rejection.

Claims 1, 4-8 and 10-19 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

The Examiner asserts that the claims are ambiguous. The Examiner is unclear as which features “are compatible with the instant invention.” The Examiner cites the features of particular basic organic compounds having an imidazole ring; Z groups and protecting groups; spacer groups; and the variables T and U.

Also, the Examiner asserts that the phrase “capable of” does not further limit the components of the composition.

In response, Applicants submit that the amended claims fully satisfy the requirements of § 112, second paragraph. As described above, claim 1 has been amended to delete reference to T, U, Z and X and to incorporate therein the features of eight specifically disclosed sequences (SEQ ID NO: 1-5 and 7-9). Further, the claims have been amended to delete the term “capable of being.”

Accordingly, Applicants respectfully submit that the claims define the subject matter with a reasonable degree of particularity and distinctness, and request that the Examiner reconsider and withdraw the above rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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